

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

SONYA LARSON

Plaintiff,

v.

DAWN DORLAND PERRY, et al.

Defendants.

Civil Action

No. 1:19-cv-10203-IT

**MOTION OF PLAINTIFF-THIRD PARTY DEFENDANT, SONYA LARSON,
FOR PARTIAL SUMMARY JUDGMENT AGAINST
DAWN DORLAND PERRY, DEFENDANT-PLAINTIFF IN COUNTERCLAIM,
FOR LIABILITY ONLY ON
COUNTS I, II AND VII THE SECOND AMENDED COMPLAINT, AND
ON COUNTS I AND II OF THE COUNTERCLAIM**

Request for Oral Argument

Pursuant to Fed.R.Civ.P, Rule 56, Plaintiff, Defendant-in-Counterclaim, Sonya Larson (“Larson”) moves for partial summary judgment on liability against Defendant, Plaintiff-in-Counterclaim, Dawn Dorland Perry (“Dorland”) under Counts I, II and VII of the Second Amended Complaint (Dkt. 91) and on Counts I and II of Dorland’s Counterclaims (Dkt. 96).

As grounds for this Motion, Larson says that there are no disputed issues of material fact, and that she is entitled to judgment as a matter of law. Lawson submits the following pleadings and documents in support of her motion.

A. Memorandum in Support of Motion for Partial Summary Judgment including:

(1) Exhibits 1 through 39, incorporating the Affidavit of Sonya Larson as Exhibit 1, and the Affidavit of Attorney James Gregorio as Exhibit 25.

(2) Appendices I through VI, including the following:

- (I) Brilliance Audio version of *The Kindest*.
- (II) Audible.com version of *The Kindest*.
- (III) American Short Fiction, Inc. (“ASF”) version of *The Kindest*.
- (IV) Boston Book Festival (“BBF”) version of *The Kindest*.
- (V) Final Version of *The Kindest*. This version was never published by the BBF, but it was published in a book of short stories entitled, *Welcome to the Neighborhood*, published by Ohio University Press.
- (VI) “Side-by-Side” analysis and comparison of the “Dorland Letter” that was published on Dorland’s Facebook group in July 2015, and Larson’s Final Version of *The Kindest*.

B. Larson’s Statement of Material Facts submitted under Local Rule 56.1.

WHEREFORE, Larson requests that this Court enter partial summary judgment on the issue of liability in favor of Larson on Counts I, II and VII of Larson’s Second Amended Complaint (Dkt.No. 91), and on Counts I and II of Dorland’s Counterclaims (Dkt. No. 96).

December 9, 2022

Respectfully submitted,
Plaintiff, Third-Party Defendant,
Sonya Larson,

By her attorneys,
/s/ Andrew D. Epstein

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Certification under Local Rule 7.1

I certify that all counsel in this Action have conferred in an attempt in good faith to narrow or resolve the issues presented in this Motion.

/s/ Andrew D. Epstein

December 9, 2022

Andrew D. Epstein

Certificate of Service

I certify that Plaintiff-Third Party Defendant, Sonya Larson's Motion for Partial Summary Judgment and Memorandum in support thereof were filed through the court's ECF system and a copy was sent electronically on the day it was filed to all counsel of record.

/s/ Andrew D. Epstein

December 9, 2022

Andrew D. Epstein